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ATTORNEYS FOR DEFENDANT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

JAMES MICHAEL PAUL,)	CASE No. 1:20-cv-00149-BAM
Plaintiff,)	
vs.)	STIPULATION AND ORDER FOR
)	REMAND TO AGENCY PURSUANT
)	TO 42 U.S.C. SECTION 405(g)
)	SENTENCE FOUR
ANDREW SAUL,)	
Commissioner Of Social Security,)	
Defendant.)	

IT IS HEREBY STIPULATED, by and between James Michael Paul (Plaintiff) and Andrew Saul, Commissioner Of Social Security (Defendant), through their respective counsel of record, that this action be remanded for further administrative action pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. section 405(g), sentence four. On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for a new decision. The Appeals Council will instruct the ALJ to reevaluate the evidence of record.

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The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Date: December 18, 2020

Respectfully submitted,

PEÑA & BROMBERG, PLC

By: /s/ Jonathan O. Peña *

JONATHAN O. PEÑA

(*Authorized by e-mail on December 18, 2020)

Attorneys for Plaintiff

Date: December 18, 2020

McGREGOR W. SCOTT

United States Attorney

By: /s/ Sharon Lahey

SHARON LAHEY

Special Assistant United States Attorney

ORDER

Based upon the parties' stipulation, IT IS HEREBY ORDERED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the stipulation. The Clerk of the Court is directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

IT IS SO ORDERED.

Dated: **December 21, 2020**

/s/ *Barbara A. McAuliffe*

UNITED STATES MAGISTRATE JUDGE